

Claims 1, 4-7, 10, 11, and 14-16 are rejected under 35 U.S.C. §102(b) as anticipated by, or in the alternative, under 35 U.S.C. § 103(a) as obvious over Andrieu (USPN 5,290,644).

These rejections are respectfully traversed and reconsideration is requested.

In accordance with the foregoing, the specification and the title have been amended to improve form, claims 2 and 8 have been canceled without prejudice or disclaimer, and claims 1, 3, 7, 9 and 12 have been amended.

No new matter is being presented, and approval and entry of the foregoing amendments and new claims are respectfully requested.

Claims 1, 3-7, and 9-18 are pending and under consideration. Reconsideration is requested.

**ALLOWED CLAIMS:**

Claims 17 and 18 are allowed.

**ALLOWABLE SUBJECT MATTER:**

Claim 1 has been amended to include the features of claim 2. Claim 2 has been cancelled without prejudice or disclaimer. Claim 7 has been amended to include the features of claim 8. Claim 8 has been cancelled without prejudice or disclaimer. Thus, the objections to claims 2 and 8 are moot.

Claim 12 depends from claim 7, and claim 13 depends from claim 12. Claim 12 has been amended to independent form to include all of the limitations of the base claim (unamended claim 7), so that amended claim 12 is now in allowable form. Since claim 13 depends from claim 12, claim 13 is also allowable. Thus, the objection to claims 12 and 13 is moot.

**OBJECTION TO THE TITLE:**

In the Office Action at page 2, the title was objected to as not being descriptive. In view of the proposed amended title set forth above, the outstanding objection to the title should be resolved.

**CHANGES TO THE SPECIFICATION:**

It is respectfully submitted that the terminology "swelling of the electrolyte solution" does not appear in paragraph 13. However, paragraph 13 has been amended to show more clearly that swelling of the electrode assembly or the pouch may be caused, for example, by evaporation of the organic solvent.

Paragraph 28 has been amended to show the correction of the typographical errors in Formula 2.

Changes have been made to the specification only to place it in preferred and better U.S. form for issuance and to resolve the Examiner's objections raised in the Office Action. No new matter has been added.

**OBJECTIONS TO CLAIMS:**

In the Office Action at page 2, the Examiner objected to claims 3 and 9 for the reasons set forth therein. Claims 3 and 9 have been amended to show the corrected Formula 2 and are now deemed to be in suitable form.

**REJECTION UNDER 35 U.S.C. §102 AND §103:**

A. In the Office Action at page 3, the Examiner rejected claims 1, 3, 6, 7, and 9 under 35 U.S.C. §102 (b) as being anticipated by the CAPLUS abstract for Peng et al. "Ionic Conductivity of epoxy network/polyethylene glycol-lithium perchlorate complex IPN system" in Chinese Journal of Polymer Science (1990), 8(4) 342-6.

Claim 1 has been amended to include the features of claim 2. Claim 2 has been cancelled without prejudice or disclaimer. Thus amended claim 1 is in allowable form (see page 4 of Examiner's response). Since amended claim 1 is allowable, and since claims 3 and 6 depend therefrom, claims 3 and 6 are allowable for at least the reasons that amended claim 1 is allowable over the CAPLUS abstract for Peng et al. "Ionic Conductivity of epoxy network/polyethylene glycol-lithium perchlorate complex IPN system" in Chinese Journal of Polymer Science (1990), 8(4) 342-6.

Claim 7 has been amended to include the features of claim 8. Claim 8 has been cancelled without prejudice or disclaimer. Thus, amended claim 7 is in allowable form (see page 4 of Examiner's response). Since amended claim 7 is allowable, and since claim 9

depends therefrom, claim 9 is allowable for at least the reasons that amended claim 7 is allowable over the CAPLUS abstract for Peng et al. "Ionic Conductivity of epoxy network/polyethylene glycol-lithium perchlorate complex IPN system" in Chinese Journal of Polymer Science (1990), 8(4) 342-6.

Thus, it is respectfully submitted that claims 1, 3, 6, 7, and 9 are allowable under 35 U.S.C. §102 (b) and are not anticipated by the CAPLUS abstract for Peng et al. "Ionic Conductivity of epoxy network/polyethylene glycol-lithium perchlorate complex IPN system" in Chinese Journal of Polymer Science (1990), 8(4) 342-6.

B. In the Office Action at page 3, the Examiner rejected claims 1, 4-7, 10, 11, and 14-16 under 35 U.S.C. §102(b) as anticipated by, or in the alternative, under 35 U.S.C. § 103(a) as obvious over Andrieu (USPN 5,290,644).

Claim 1 has been amended to include the features of claim 2. Thus amended claim 1 is in allowable form (see page 4 of Examiner's response). Since amended claim 1 is deemed to be allowable, and since claims 4-6 depend therefrom, claims 4-6 are patentable under 35 U.S.C. §102(b) over Andrieu (USPN 5,290,644) and are patentable under 35 U.S.C. § 103(a) over Andrieu (USPN 5,290,644).

Claim 7 has been amended to include the features of claim 8. Claim 8 has been cancelled. Thus amended claim 7 is in allowable form (see page 4 of Examiner's response). Since amended claim 7 is deemed to be allowable, and since claims 10, 11 and 14-16 depend therefrom, claims 10, 11, and 14-16 are patentable under 35 U.S.C. §102(b) over Andrieu (USPN 5,290,644), and are patentable under 35 U.S.C. § 103(a) over Andrieu (USPN 5,290,644).

Thus, it is respectfully submitted that claims 1, 4-7, 10, 11 and 14-16 are patentable under 35 U.S.C. §102(b) over Andrieu (USPN 5,290,644) and are patentable under 35 U.S.C. § 103(a) over Andrieu (USPN 5,290,644).

**CONCLUSION:**

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot, and further, it is respectfully submitted that all pending claims patentably distinguish over the prior art.

Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any additional fees associated with the filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: \_\_\_\_\_

7/21/03

By: \_\_\_\_\_



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